IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

)
)
) NO. 3:22-cv-00465
)) JUDGE CAMPBELL
) MAGISTRATE JUDGE FRENSLEY

ORDER

Pending before the Court is the Magistrate Judge Frensley's Report and Recommendation (Doc. No. 14), which was filed on January 23, 2023. Through the Report and Recommendation, Judge Frensley recommends that Defendant Vanderbilt University's motion to dismiss (Doc. No. 9) be granted. Plaintiff filed objections (Doc. No. 17) to the Report and Recommendation, which Defendant filed a response to (Doc. No. 25). For the reasons discussed below, the Report and Recommendation will be adopted and approved.

Under 28 U.S.C. § 636(b)(1) and Local Rule 72.02, a district court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001). General or conclusory objections are insufficient. *See Zimmerman v. Cason*, 354 F. Appx. 228, 230 (6th Cir. 2009). Thus, "only those specific objections to the magistrate's report made to the district court will be preserved for appellate review." *Id.* (quoting *Smith v. Detroit Fed'n of Teachers*, 829 F.2d 1370, 1373 (6th Cir. 1987)). In conducting the review, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C).

In her objections, Plaintiff does not challenge Judge Frensley's statement of the law.

Rather, Plaintiff objects to how certain factual allegations are reiterated in Section III of the Report

and Recommendation. (See Doc. No. 17 at 2-9). Plaintiff has not demonstrated that these

objections undermine Judge Frensley's legal conclusions or otherwise provided a basis to modify

his Report and Recommendation. To the extent Plaintiff raises any other objections, (*Id.* at 10-16),

they are without merit because they fail to direct the Court to a specific error by Judge Frensley in

making his determinations. See Howard v. Sec. of Health & Human Servs., 932 F.2d 505, 509 (6th

Cir. 1991).

Having reviewed the Report and Recommendation and fully considered Plaintiff's

objections, the Court concludes that Plaintiff's objections are without merit and the Report and

Recommendation should be adopted and approved. Accordingly, Defendant Vanderbilt

University's motion to dismiss (Doc. No. 9) is **GRANTED**. The Clerk is directed to close the file.

It is so **ORDERED**.

WILLIAM L. CAMPBELL, JR.

UNITED STATES DISTRICT JUDGE